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14 Attorneys for Defendant  
15 WELLS FARGO BANK, N.A.

16 UNITED STATES DISTRICT COURT  
17 CENTRAL DISTRICT OF CALIFORNIA  
18

19 ISAAC CURRY

20 Plaintiff,

21 v.

22 WELLS FARGO BANK, N.A.; and  
DOES 1 through 50 inclusive,

23 Defendants.  
24

Case No. CV12-06962-ODW (PJWx)

**JOINT STIPULATION  
REGARDING CONTINUANCE OF  
TRIAL AND TRIAL-RELATED  
DATES**

Judge: Hon. Otis D. Wright II

1 Plaintiff Isaac Curry (“Plaintiff”) and Defendant Wells Fargo Bank, N.A.  
2 (“Wells Fargo”) hereby stipulate and agree to the following:

3 WHEREAS, on or about December 22, 2011, Plaintiff filed his original  
4 complaint in Los Angeles County Superior Court alleging causes of action under  
5 California’s wage and hour laws;

6 WHEREAS, on or about July 20, 2012, Plaintiff filed a First Amended  
7 Complaint adding new causes of action for retaliation and wrongful termination, in  
8 addition to a cause of action under the Federal Fair Labor Standards Act;

9 WHEREAS, Wells Fargo removed this action to this Court on or about  
10 August 13, 2012;

11 WHEREAS, on or about October 23, 2012, the Court issued a Scheduling  
12 and Case Management Order setting a trial date of June 4, 2013, a pre-trial conference  
13 date of May 13, 2013, and a discovery cut-off date of March 4, 2013;

14 WHEREAS, Plaintiff is one of several HMCs who opted-out of a FRCP  
15 Rule 23 class action or did not opt-in to an FLSA collection action alleging similar  
16 wage and hour claims on behalf of Home Mortgage Consultants (HMCs) employed by  
17 Defendant and elected to pursue their own lawsuits;

18 WHEREAS, Defendant has been attempting to coordinate litigation in all  
19 cases brought by HMCs in various federal and state courts, which resulted in one  
20 postponement of a mediation date in this matter;

21 WHEREAS, the parties have agreed to mediate the case before private  
22 mediator Judge Richard Haden and have a mediation date scheduled for March 14,  
23 2013;

24 WHEREAS, since the case originally was filed, the parties have been  
25 engaged in discovery, including written discovery and production of documents, and  
26 informal exchanges of information for mediation;

1 WHEREAS, in an effort to focus on mediation and save their clients  
2 significant fees, the parties agreed to postpone certain discovery until after mediation,  
3 including several depositions;

4 WHEREAS, if the parties are unable to resolve the matter at mediation,  
5 they will need some additional time to complete all pending discovery, including  
6 depositions of witnesses, one or more of whom reside out-of-state;

7 WHEREAS, the parties agree that a brief continuance of the pre-trial and  
8 trial dates will facilitate each party's ability to complete discovery and effectively  
9 prepare for trial;

10 WHEREAS, the parties have agreed to a new trial date of August 6,  
11 2013, which is just 63 days after the current trial date of June 4, 2013;

12 WHEREAS, the parties have not previously requested any extensions or  
13 continuances in this matter;

14 WHEREAS, this stipulation is made in good faith and is not made to  
15 delay these proceedings or for any other improper purpose;

16 NOW, THEREFORE, subject to the approval of this Court, the parties  
17 stipulate and request that the trial and pre-trial deadlines be continued as follows:  
18

19 <b>EVENT</b>	<b>OLD DATE</b>	<b>NEW DATE</b>
20 Discovery Cut-off	March 4, 2013	May 6, 2013
21		
22 Last Date to Conduct Settlement	April 8, 2013	June 17, 2013
23 Conference		
24 Last Date for Hearing Motions at 1:30	April 15, 2013	June 24, 2013
25 p.m.		
26 Deadline to: Lodge Proposed Pretrial	May 6, 2013	July 8, 2013
27 Conference Order & Pretrial Exhibit		
28		

1 2 3 4 5 6 7	Stipulation; File Contentions of Fact and Law, Exhibit and Witness Lists; Status Report Regarding Settlement; Agreed Upon Set of Jury Instructions and Verdict Forms; Joins Statement Re Disputed Jury Instructions; Verdicts, etc.		
8 9 10 11	Deadline to File Motions in Limine, Proposed Voir Dire Questions and an Agreed-to-Statement of Case	May 13, 2013	July 15, 2013
12	Final Pretrial Conference at 2:30 p.m.	May 13, 2013	July 15, 2013
13 14 15	Hearing on Motions in Limine at 2:30 p.m.	May 28, 2013	June 30, 2013
16 17	Last Date to File Final Pretrial Exhibit Stipulation	May 30, 2013	August 1, 2013
18	Jury Trial	June 4, 2013	August 6, 2013

19 Alternatively, if the Court is not inclined to grant the parties request to  
20 continue the trial date, the parties request that the Court extend the discovery cutoff  
21 date from March 4, 2013 to April 30, 2013 to allow the parties sufficient time to  
22 complete pre-trial discovery should the matter not settle at mediation.

1 IT IS SO STIPULATED

2  
3 Dated: February 12, 2013

4 /s/ APARAJIT BHOWMIK  
5 NORMAN B. BLUMENTHAL  
6 KYLE R. NORDREHAUG  
7 APARAJIT BHOWMIK  
8 BLUMENTHAL, NORDREHAUG &  
9 BHOWMIK  
10 Attorneys for Plaintiff  
11 ISAAC CURRY

9  
10 Dated: February 12, 2013

11 /s/ MARY D. WALSH  
12 LINDBERGH PORTER, JR.  
13 MARY D. WALSH  
14 LITTLER MENDELSON  
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